

Express Mail Label No.: E 2822522US

Date of Deposit: October 18, 2002

Attorney Docket No. 21402-290C (CURA 590C)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Padigaru, *et al.*

ASSIGNEE: CURAGEN CORP.

SERIAL NUMBER: 10/092,900

EXAMINER : Not Yet Assigned

FILING DATE: March 7, 2002

ART UNIT : 1645

FOR: NOVEL PROTEINS AND NUCLEIC ACIDS ENCODING SAME

Box Missing Parts
Commissioner for Patents
Washington, DC 20231

TRANSMITTAL LETTER

Transmitted herewith for filing in the above-referenced patent application are the following documents:

1. Response to Notice to File Missing Parts under 37 CFR 1.52 or 1.53 (1 pg.);
2. Copy of Notice to File Missing Parts of Nonprovisional Application (2 pgs.);
3. Check No. 1245 in the amount of \$130.00 to cover the surcharge;
4. Executed Combined Declaration and Power of Attorney three counterparts - (30 pgs.);
5. Check No. 1252 in the amount of \$1,440.00 to cover the extension of time;
6. Petition for Four Month Extension of Time (1 pg.);
7. Computer Readable Form Copy of the "Sequence Listing" (1 diskette);
8. Statement in Support of Computer Readable Form Submission (1 pg.);
9. Paper Copy of "Sequence Listing" (914 pgs.);
10. Preliminary Amendment (1 pg.);
11. Request for Correction of Filing Receipt (2 pgs.);
12. Copy of Original Filing Receipt (4 pgs.);
13. Copy of Corrected Filing Receipt (4 pgs.); and
14. Return postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at 617-542-6000, Boston, Massachusetts. A duplicate copy of this transmittal letter is enclosed.

The Commissioner is authorized to charge any additional fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311, Ref. No. 21402-290 (Cura 590C).

Respectfully submitted,

Eric Sinn

Ivor R. Elrifi, Reg. No. 39,529
Eric Sinn, Reg. No. 40,177
Attorney/Agent for Applicants
c/o MINTZ, LEVIN

One Financial Center
Boston, Massachusetts 02111
Tel: (617) 542-6000
Fax: (617) 542-2241

Date: October 18, 2002

EU 2822522 US



30623

PATENT TRADEMARK OFFICE

Express Mail Label No.: EU282822522US

Date of Deposit: October 18, 2002

Attorney Docket No. 21402-290C (CURA 590C)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Padigaru, *et al.*
ASSIGNEE : CURAGEN CORP.
SERIAL NUMBER : 10/092,900 EXAMINER : Not Yet Assigned
FILING DATE : March 7, 2002 ART UNIT : 1645
FOR : NOVEL PROTEINS AND NUCLEIC ACIDS ENCODING SAME

Box Sequence
Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS

In response to the Notice To File Missing Parts of Nonprovisional Application mailed April 19, 2002, Applicants submit herein an executed Combined Declaration and Power of Attorney form, payment of the surcharge of \$130.00 (Check Number 1245) as set forth in 37 C.F.R. §1.16(e), a copy of the Notice to File Missing Parts of Nonprovisional Application, Preliminary Amendment, Petition for Four Month Extension of Time, a check in the amount of \$1,440.00 (Check No. 1252) to cover the Petition fee, Statement of Support of Computer Readable Form Submission, electronic and paper copy of sequence listing. This response is due on or before October 19, 2002 with a four-month extension.

Please charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 21402-290C (CURA 590C).

Respectfully submitted,

Dated: October 18, 2002



30623

PATENT TRADEMARK OFFICE


Ivor R. Elrifi, Reg. No. 39,529
Eric Sinn, Reg. No. 40,177
Attorneys for Applicants
c/o MINTZ, LEVIN
One Financial Center
Boston, Massachusetts 02111
Tel: (617) 542-6000
Fax: (617) 542-2241



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/092,900	03/07/2002	Muralidhara Padigaru	21402-290C (Cura-590C)

CONFIRMATION NO. 1049

FORMALITIES LETTER



OC000000007915994

MINTZ, LEVIN, COHN, FERRIS,
GLOVSKY and POPEO, P.C.
One Financial Center
Boston, MA 02111

Date Mailed: 04/19/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at

patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice MUST be returned with the reply.



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 3 - OFFICE COPY